



COUNTY OF LOS ANGELES

CHIEF INFORMATION OFFICE

500 WEST TEMPLE STREET
493 HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012

JON W. FULLINWIDER
CHIEF INFORMATION OFFICER

TELEPHONE: (213) 974-2008
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September 5, 2003

To: Supervisor Zev Yaroslavsky
Third District

From: Jon W. Fullinwider
Chief Information Officer

Subject: **MR. PALMERS LETTER REGARDING ELECTRONIC VOTING
DEVICES USED BY THE COUNTY**

In response to your letter requesting that I investigate and respond to Mr. Palmer regarding his concerns about the County's use of electronic voting devices that do not provide a paper validation of votes cast to each voter, the attached letter (email response) is provided for your review and file. The response was validated with staff within the Registrar Recorder/County Clerks office.

JWF:jsl

Attachments

c: Supervisor Gloria Molina, First District
Supervisor Michael D. Antonovich, Fifth District
Conny McCormack, Register Recorder/County Clerk

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September 5, 2003

Robert Palmer
res06rdr@gte.net

Delivered via E-mail

Dear Mr. Palmer:

Supervisor Yaroslavsky asked me to investigate and respond to your August 21, 2003, e-mail correspondence regarding security concerns with Diebold Voting Software. In responding to your request, I would like to first provide you background on electronic voting in County of Los Angeles (County) and then specifically address your issues with the County's current direct recording electronic (DRE) voting system.

Background

Recognizing the concerns with the technology and the high cost to implement electronic voting, the County has adopted a phased approach to acquiring and deploying DRE voting systems. The County's Registrar-Recorder/County Clerk (RR/CC) has and continues to pilot a limited number of DRE voting devices from Diebold Election Systems. These devices were acquired through a competitive bidding process and supported the early voting period for elections held in 2000, 2001 and 2002 elections.

The RR/CC is planning to release a Request for Proposal (RFP) for a countywide DRE Voting System in early 2004. This solicitation will be an open and competitive bidding process requesting proposals from vendors whose products have been certified by the California Secretary of State. Under the California Elections Code, no county can purchase a voting system to conduct elections if it is not certified. You can find more information on the voting system certification process at http://www.ss.ca.gov/elections/elections_w.htm.

Lack of a Voting Record Paper Trail

The issue of whether to provide voters with a verifiable receipt of the votes cast is the subject of ongoing debate among election officials, certification authorities and vendors. Currently, the County's DRE devices lack this functionality, although the capability to

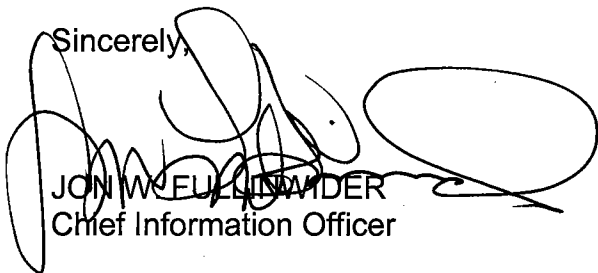
recreate the votes cast by each DRE device is available in the event there is an issue with the electronic vote data stored on the storage media sent to the election central for uploading and vote tallying.

Physical and System Security

Prior to DRE devices being deployed for early voting they are subject to rigorous pre- and post-election logic and accuracy testing by RR/CC staff. The County DRE devices operate independently and are not attached to a network or the Internet. This action mitigates any attempt to hack into the DRE devices remotely during an election. During early voting, DRE devices are placed in controlled areas and access to the devices are tightly controlled and monitored. The primary form of output is the vote result tape (paper) and a duplicated copy of the electronic storage media containing voting results, which is an entirely isolated operation performed on each unit at the end of the voting period. The tape and a duplicate copy of the electronic storage media containing the voting results for each DRE device are placed in a controlled box and is then delivered to election central where the voting results are uploaded under the direct control and supervision of RR/CC staff.

In closing, I would like to thank you for your interest in County's electronic voting and to assure you that the County will carefully consider the concerns that you have raised in our upcoming solicitation.

Sincerely,



JON W. FULLINWIDER
Chief Information Officer

- c Supervisor Gloria Molina, First District
 Supervisor Zev Yaroslavsky, Third District
 Supervisor Michael D. Antonovich, Fifth District
 Conny B. McCormack, Registrar-Recorder/County Clerk



BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

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ZEV YAROSLAVSKY

SUPERVISOR, THIRD DISTRICT

August 21, 2003

Mr. Jon Fullinwider
Chief Information Officer
500 West Temple Street, Rm. 493
Los Angeles, California 90012

Dear Mr. Fullinwider:

I am in receipt of an email correspondence from Robert Palmer expressing concerns about the County using the Diebold Voting Software. A copy of his letter is enclosed for your information.

I would appreciate your looking into this matter and responding to his concerns at your earliest opportunity. Please provide me with a copy of your response to him. Thank you for your attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Zev Yaroslavsky", is written over a horizontal line.

ZEV YAROSLAVSKY
Supervisor, Third District

ZY:t

Enc.

cc: Robert Palmer via email – res06rdr@gte.net

From: Robert Palmer [res06rdr@gte.net]
Sent: Thursday, August 21, 2003 12:18 PM
To: Gloria Molina; seconddistrict; Yaroslavy, Zev; 4th District; Michael D Antonovich
Subject: Diebold Voting Software

Dear Supervisors:

I was shocked to read that Los Angeles County had used, and was planning to use again, the unstable, error-prone, and tamper-prone Diebold Voting Software.

A major problem with the Diebold software is the lack of a voting record paper trail in the event of the need for a recount, or to reconstruct the voting record.

Los Angeles County has failed to use due diligence in selecting software which has had an adequate independent verification and validation to provide confidence that the software will provide a complete and accurate vote. The Diebold software does not have the configuration stability or reliability and accuracy, and has little protection against attempted penetration events, and does not construct a record of these events.

This is in contrast to the careful software selection of voting software by Riverside County, who evaluated and rejected the Diebold software for its inadequacies.

Will it take a political hacker from USC to inject a plurality of votes for a challenger, before you incumbents will get off the stick and provide Los Angeles County with reliable, tamper-proof voting software? Or possibly, a lawsuit by a challenger claiming an inaccurate count? It would be tough sledding to defend the Diebold product performance.

Robert Palmer

- Abby Rubin
- Lack of voter verified receipt
 - should be based on open source code
 - Actual programming is done by AR/cc staff
 - Certified by Sec of state